

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Bailey Broadbent, et al., :  
:  
Plaintiff(s), : Case Number: 1:10cv943  
vs. : Chief Judge Susan J. Dlott  
Americans for Affordable Healthcare,  
Inc., et al., :  
:  
Defendant(s). :  
:

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on December 16, 2011 a Report and Recommendation (Doc. 192). Subsequently, the defendant Ashley Atley filed objections to such Report and Recommendation (Doc. 196) and plaintiffs filed a memorandum in opposition to defendant Ashley Atley's objections (Doc. 200).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, defendants' National Combined Benefits Association, Gary Bastie, Roberta Bastie, Jack Winebrenner and L.M. Winebrenner's (collectively referred to as "AIM Defendants") motions to dismiss (Docs. 88, 116) and defendant Ashley Atley's motion for judgment as a matter of law (Doc. 100) are **DENIED** without prejudice. Defendants are

permitted to re-file such motions after the filing of plaintiffs' second amended complaint.

AIM Defendants' motion for leave to file a cross-claim (Doc. 138) is **DENIED**.

IT IS SO ORDERED.

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court